

**MINUTES**  
**CITY OF ALVIN, TEXAS**  
**216 W. SEALY STREET**  
**REGULAR CITY COUNCIL MEETING**  
**THURSDAY AUGUST 7, 2014**  
**7:00 P.M.**

**CALL TO ORDER**

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in regular session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Paul Horn, Councilmembers: Gabe Adame, Adam Arendell, Scott Reed, Brad Richards, Roger Stuksa and Keith Thompson. Also present: Junru Roland, Interim City Manager, Bobbi Kacz, City Attorney and Dixie Roberts, City Clerk.

**INVOCATION**

Judy Zavala gave the invocation.

**PLEDGE OF ALLEGIANCE**

Councilmember Adame led the Pledge of Allegiance.

**SPECIAL PRESENTATIONS**

Texas New Mexico Power presented a grant award in the amount of \$15,000 to Keep Alvin Beautiful (KAB) to be used for the beautification of the property located on the corner of Willis and South Gordon. Ms. Urick with KAB stated that KAB has future plans to fundraise in order to help fund the building of a gazebo at this location.

Alice Sloan and Nelva Urick with Keep Alvin Beautiful gave a brief overview of the upcoming Depot Days.

Mr. Roland presented the Distinguished Budget Presentation Award to Mayor Horn on behalf of the City of Alvin for its annual budget for the fiscal year beginning October 1, 2013. In order to receive this award, a government unit must publish a budget document that meets program criteria, as a policy document, as an operations guide, as a financial plan and a communications device. Mr. Roland thanked his budget staff and department heads for their role in helping obtain this award.

Mayor Horn thanked Mr. Roland and the budget staff and department heads for their hard work and dedication.

Councilmember Arendell left the meeting at 7:10 p.m.

**APPROVAL OF MINUTES**

Approve minutes of July 10, 2014 City Council meeting

Councilmember Adame moved to approve the minutes of July 10, 2014. Seconded by Councilmember Richards; motion to approve carried on a vote of 5 Ayes.

Approve minutes of the July 31, 2014 Special City Council meeting.

Councilmember Adame moved to approve the minutes of July 31, 2014. Seconded by Councilmember Reed; motion to approve carried on a vote of 5 Ayes.

**PETITIONS OR REQUESTS FROM THE PUBLIC**

Larry Buehler presented the steering team for the BACH Fun Fest fundraising event. Ms. Diane Overton, co-chairperson for this event stated that the BACH Funfest will be held on Saturday August 23<sup>rd</sup> at 5:00 p.m. at the Knights of Columbus Hall on Highway 6. There will be many fun activities to choose from, along with barbeque and a silent and live auction.

Councilmember Arendell re-entered the meeting at 7:13 p.m.

**REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES**

No reports were given.

**OTHER BUSINESS**

Consider a variance request from Mr. and Mrs. Robert Ruiz to waive the building setback requirements of the Subdivision and Property Development Section 21-37, of the Code of Ordinances, for the property located at 807 Rice Street.

Michelle Segovia, City Engineer stated that Mr. & Mrs. Ruiz own the property at 807 Rice Street and are asking for a variance to the residential setback requirements. Section 21-37 requires front setbacks of at least 25ft., side setback lines of 15ft. on corner lots, rear setback lines of 10 ft., and side non-corner lot setback lines 5ft. The Planning Commission reviewed this request at their meeting on July 29th and recommends approval to City Council. The Ruiz's would like to construct a home at 807 Rice Street. The 25ft. building setback requirement would result in the home only having a 15ft. backyard depth. With the variance approved, the front of house would be approx. 21ft. behind the alignment of other homes currently on the street and will give additional depth in the back yard. This will provide the setback distance needed from Highway 6.

Councilmember Stuksa moved to approve a variance request from Mr. and Mrs. Robert Ruiz to waive the building setback requirements of the Subdivision and Property Development Section 21-37, of the Code of Ordinances, for the property located at 807 Rice Street. Seconded by Councilmember Adame; motion to approve carried on a vote of 6 Ayes.

Consider a recommendation for a final plat requested under the re-plat procedure for Park Drive Investments, LP, being out of Lot 1 of H.T.B. & R.R. Co, Survey, Section 21, Page 186 Brazoria County Deed Records, Texas and all of Reserve "A" of Park Drive Investments, LP Subdivision as recorded in instrument No. 2014006065 Brazoria County Plat Records.

Michelle Segovia, City Engineer stated that this property is currently vacant and is located at the southwest corner of CR146 and west Highway 6; within our ETJ. The owner intends on building a R.V. sales and repair business at this location. This was originally platted as 18 acres; the owners have since acquired 2.5 additional acres at the south corner and would like to add this to their plat. The Planning Commission considered this plat and recommends approval.

Councilmember Reed moved to approve the recommendation for a final plat requested under the re-plat procedure for Park Drive Investments, LP, being out of Lot 1 of H.T.B. & R.R. Co, Survey, Section 21, Page 186 Brazoria County Deed Records, Texas and all of Reserve "A" of Park Drive

Investments, LP Subdivision as recorded in instrument No. 2014006065 Brazoria County Plat Records. Seconded by Councilmember Thompson motion to approve carried on a vote of 6 Ayes.

Acknowledge the receipt of the Alvin Tax Increment Reinvestment Zone (TIRZ) No. Two (Kendall Lakes) 2013 Annual Report.

Larry Buehler stated that the Kendall Lakes TIRZ Board of Directors received and approved the annual report at their meeting on July 8, 2014. This report must also be approved by City Council and sent to the Texas Comptroller and the Texas Office of Attorney General.

Councilmember Arendell moved to acknowledge the receipt of the Alvin Tax Increment Reinvestment Zone (TIRZ) No. Two (Kendall Lakes) 2013 Annual Report. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Ayes.

Consider Addendum No. 1 to the Landscape Maintenance Services Agreement with LTS Lawn Care for a one year renewal term for lawn services for selected City Parks, with a total annual price not to exceed \$32,227.87 and authorize the Mayor to sign.

This is the first of three potential annual (12 month duration) renewals, each renewal term shall be attached to the agreement as an Addendum and is subject to the same provisions of the original contract for \$32,227.87. The current contract expires September 30, 2014; the contract renewal dates are October 1, 2014 thru September 30, 2015.

Councilmember Thompson moved to approve addendum No. 1 to the Landscape Maintenance Services Agreement with LTS Lawn Care for a one year renewal term for lawn services for selected City Parks, with a total annual price not to exceed \$32,227.87 and authorize the Mayor to sign. Seconded by Councilmember Reed; motion to approve carried on a vote of 6 Ayes.

Consider Addendum No. 2 to the Janitorial Services Agreement with American Janitorial Services Ltd. for a one year renewal term for janitorial services for City facilities, with a total annual price of \$61,680 and authorize the Mayor to sign.

The original janitorial services contract includes a provision for additional one year terms dependent upon mutual consent of the parties and approval of the governing body. Each renewal term shall be attached to the agreement as an addendum and is subject to the same provisions of the original contract, as amended.

American Janitorial Services Ltd. has submitted a written request for an additional one year term to provide janitorial services for the City.

Councilmember Reed moved to approve addendum No. 2 to the Janitorial Services Agreement with American Janitorial Services Ltd. for a one year renewal term for janitorial services for City facilities, with a total annual price of \$61,680 and authorize the Mayor to sign. Seconded by Councilmember Adame; motion to approve carried on a vote of 6 Ayes.

Consider Addendum No. 3 to the HVAC and Boiler Preventative Building Maintenance and Repair Services Agreement with Clear the Air LLC for a one year renewal term for HVAC and Boiler services for City facilities with a total annual price of \$38,029.00 and authorize the Mayor to sign.

The original HVAC service contract with Clear the Air LLC includes a provision for additional one year terms dependent upon mutual consent of the parties and approval of the governing body. Each renewal term shall be attached to the agreement as an Addendum and is subject to the same

provisions of the original contract. Mr. Jason Stom, President of Clear the Air LLC has submitted a written request for an additional one year term to provide HVAC and Boiler Preventative Building Maintenance and Repair Services for the City.

Councilmember Stuksa moved to approve addendum No. 3 to the HVAC and Boiler Preventative Building Maintenance and Repair Services Agreement with Clear the Air LLC for a one year renewal term for HVAC and Boiler services for City facilities with a total annual price of \$38,029.00 and authorize the Mayor to sign. Seconded by Councilmember Reed; motion to approve carried on a vote of 6 Ayes.

Consider request for street closures for the Depot Days Parade to be held on Saturday August 30, 2014, beginning at 9:00 a.m. Requested Street Closures are: W. Sidnor St. @ S. Durant St., W. Blum St. @ S. Durant St., W. Lang St. @ S. Durant St. (both sides), W. Adoue St. @ S. Jack St., Beauregard St. @ W. Adoue St., S. Johnson St. @ W. Adoue St. (both sides), S. Jackson St. @ W. Adoue St. (both sides), S. Lee St. @ W. Adoue St. (both sides), S. Hill St. @ W. Adoue St. (both sides), S. Taylor St. @ W. Adoue St. (both sides), S. Hood St. @ W. Adoue St. (both sides), S. Hardie St. @ W. Adoue St. (both sides), S. Gordon St. @ W. Adoue St., E. Adoue St. @ S. Gordon St., W. Lang St. @ S. Gordon St., E. Bell St. @ S. Gordon St., W. Blum St. @ S. Gordon St., W. Sidnor St. @ S. Gordon St., E. Sidnor St. @ S. Gordon St., E. Sealy St. @ N. Gordon St., N. Gordon St. @ W. Sealy St., N. Hardie St. @ W. Sealy St., S. Hardie St. @ W. Sealy St., Hood St. @ W. Sealy St., S. Hood St. @ W. Sealy St., N. Taylor St. @ W. Sealy St., S. Taylor St. @ W. Sealy St., Hill St. @ W. Sealy St., S. Hill St. @ W. Sealy St., N. Lee St. @ W. Sealy St., S. Lee St. @ W. Sealy St., N. Jackson St. @ W. Sealy St., S. Jackson St. @ W. Sealy St., Johnson St. @ W. Sealy St., S. Johnson St. @ W. Sealy St., N. Beauregard St. @ W. Sealy St., S. Beauregard St. @ W. Sealy St., N. Durant St. @ W. Sealy St.

Councilmember Adame moved to approve the request for street closures for the Depot Days Parade to be held on Saturday August 30, 2014, beginning at 9:00 a.m. Seconded by Councilmember Arendell; motion to approve carried on a vote of 6 Ayes.

Consider request for street closures for the 2014 Depot Days Community Wide Event on Saturday August 30, 2014 between 7:00 a.m. and 5:00 p.m. Requested Street Closures are: Depot Centre Blvd. from the northwest parking lot entrance; North west Parking lot entrance/exit at Depot Centre Boulevard; E. Sealy St. at N. Gordon Street; Depot Centre Blvd. at E. Sidnor Street.; E. Sidnor Street at Depot Centre Blvd; E. Sidnor Street at S. Magnolia Street and South Magnolia Street at the entrance to National Oak Park.

Councilmember Stuksa moved to approve the request for street closures for the 2014 Depot Days community wide event on Saturday August 30, 2014 between 7:00 a.m. and 5:00 p.m. Seconded by Councilmember Thompson motion to approve carried on a vote of 6 Ayes.

Consider request for street closures for the 10th annual Beneezy Purple Monkey Fun Run on Saturday August 30, 2014 from 7:00 a.m. to 9:00 a.m. Requested street closures are: Second Street at Adoue Street; Adoue Street at Kost Street, Kost Street at South Street, South Street at Johnson Street, and Johnson Street at Cleveland Street.

Councilmember Reed moved to approve the request for street closures for the 10th annual Beneezy Purple Monkey Fun Run on Saturday August 30, 2014 from 7:00 a.m. to 9:00 a.m. Seconded by Councilmember Thompson; motion to approve carried on a vote of 6 Ayes.

Consider approval of the resale of trust property described as Minnie Arnold (Alvin #1) Lot C4, 0.212 acres, located on House Street (Account No. 1363-0002-122) to Charlie Goodson in the amount of \$7,070.00.

Councilmember Arendell moved to approval of the resale of trust property described as Minnie Arnold (Alvin #1) Lot C4, 0.212 acres, located on House Street (Account No. 1363-0002-122) to Charlie Goodson in the amount of \$7,070.00. Seconded by Councilmember Reed; motion to approve carried on a vote of 6 Ayes.

Discuss and take record vote to propose a tax rate of \$.838600 per \$100 of assessed valuation which is a 2.58% tax increase above the effective tax rate.



Mr. Roland reviewed the proposed tax rate of \$.838600 per \$100 of assessed valuation which is ½ cents less than the current rate of .8436 per \$100 of assessed value. He explained that the effective tax rate is the rate that would produce the same amount of property tax revenue as last year using properties on the roll in the prior year and current year. This rate has been calculated by the County Tax Assessor Collector and is .817497 by comparing the proposed rate to the effective rate, the public can ascertain or determine if the city is anticipating receiving more or less property tax revenue than the prior year. Even though the proposal is to lower the tax rate, this rate still exceeds the effective tax rate. State law requires that 2 public hearings be held regarding the proposed tax rate.

Councilmember Reed moved propose a tax rate of \$.838600 per \$100 of assessed valuation which is a 2.58% tax increase above the effective tax rate. Seconded by Councilmember Arendell. A roll call vote was taken:

Councilmember Thompson	Yes	Councilmember Droege	Absent
Councilmember Reed	Yes	Councilmember Adame	Yes
Councilmember Arendell	Yes	Councilmember Stuksa	Yes
Councilmember Richards	Yes		

The motion carried on a vote of 6 Ayes.

Discuss and consider the adoption of a tax rate that exceeds the Effective Tax Rate of \$.817497 per \$100 of assessed valuation at the regular meeting of the City Council on September 4, 2014 at 7:00 P.M.; City Council will hold two public hearings concerning the tax rate: Thursday, August 21, 2014 at 7:00 P.M. and Thursday, August 28, 2014, at 7:00 P.M. both to be held in the City Council Chambers, 2<sup>nd</sup> Floor, City Hall, 216 West Sealy Street, Alvin, Texas.

Councilmember Arendell moved to consider the adoption of a tax rate that exceeds the Effective Tax Rate of \$.817497 per \$100 of assessed valuation at the regular meeting of the City Council on September 4, 2014 at 7:00 P.M.; City Council will hold two public hearings concerning the tax rate: Thursday, August 21, 2014 at 7:00 P.M. and Thursday, August 28, 2014, at 7:00 P.M. both to be held in the City Council Chambers, 2<sup>nd</sup> Floor, City Hall, 216 West Sealy Street, Alvin, Texas. Seconded by Councilmember Reed. A roll call vote was taken:

Councilmember Thompson	Yes	Councilmember Droege	Absent
Councilmember Reed	Yes	Councilmember Adame	Yes
Councilmember Arendell	Yes	Councilmember Stuksa	Yes
Councilmember Richards	Yes		

The motion carried on a vote of 6 Ayes.

## **REPORTS FROM CITY MANAGER**

Review preliminary list of items for the Council meeting of August 21, 2014.

Interim City Manager Junru Roland reviewed the list of preliminary items for the City Council Meeting scheduled for August 21, 2014. He also reminded Council of the budget workshops scheduled for Thursday August 14<sup>th</sup> and August 21<sup>st</sup> at 7:00 p.m.

## **REPORTS FROM COUNCILMEMBERS**

Councilmember Thompson thanked Sandy Brandon for a job well done in service to the City of Alvin.

Councilmember Reed thanked Sandy Brandon for her hard during her tenure with the city; he wished her well on her retirement.

Councilmember Arendell asked Mr. Roland to send the refuse contract and all addendums out to the members of City Council. He also thanked Sandy Brandon for her years of service to the city and wished her well on her retirement.

Councilmember Richards thanked Sandy Brandon for all of her help over the years and wished her a happy retirement.

Councilmember Adame thanked Ms. Brandon for all of her help and service to the city and wished her well on her retirement. He also thanked Mr. Roland and staff for the GFOA budget award received. Councilmember Adame also reported that the old daycare building next door to the police station needs to be mowed and maintained. He would also like staff to look into the maintenance and upkeep of the shopping center on Gordon Street across from Nesrsta Jewelry. The area is not aesthetically pleasing and the parking lot in this center needs repair.

Councilmember Stuksa stated that the property purchased by the city at Kost/South Street needs to be mowed and maintained.

Councilmember Richards stated the yellow house next to the Citgo Station at FM517 and Highway 6 places appliances out in the front yard for sale. He would like staff to look into this.

Mr. Roland stated that staff looked at this property this past week. The ordinance states that appliances can be placed out for sale as long as it does not exceed 24 consecutive hours. Councilmember Richards stated that he would like to look into revising this ordinance.

Mayor Horn stated that there will be a joint meeting between the City Council, Planning Commission and Citizens Advisory Committee to review the Comprehensive Plan update on August 26<sup>th</sup>.

**CLOSED EXECUTIVE SESSION: THE CITY COUNCIL WILL CONVENE INTO A CLOSED EXECUTIVE MEETING IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, PURSUANT TO THE AUTHORITY CONTAINED IN:**

*Section 551.087 of the Government Code: (1) Deliberations regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or (2) deliberations regarding the offer of a financial or other incentive to a business prospect described by Subdivision (1).*

An executive session was not held.

**OPEN MEETINGS ACT RESOLUTION**

Councilmember Arendell moved to approve Resolution No. OMA-R-14-08-07, a resolution confirming compliance with the provisions of the Open Meetings Act. Seconded by Councilmember Richards; motion to approve carried on a vote of 6 Ayes.

**ADJOURNMENT**


Councilmember Adame moved to adjourn the meeting at 7:40 p.m. Seconded by Councilmember Reed; motion to adjourn carried on a vote of 6 Ayes.

## CITY COUNCIL MINUTES

- 7 -

August 7, 2014

PASSED and APPROVED this 21 day of August, 2014.

  
Paul A. Horn, Mayor

ATTEST:   
Dixie Roberts, City Clerk